

**To:** Tom Hagler/R9/USEPA/US@EPA[]  
**Cc:** Karen Schwinn/R9/USEPA/US@EPA; Erin Foresman/R9/USEPA/US@EPA[]; rin  
Foresman/R9/USEPA/US@EPA[]  
**From:** "Jewell, Michael S SPK"  
**Sent:** Fri 7/13/2012 12:04:32 AM  
**Subject:** RE: A draft of the Preliminary Overall purpose statement for CM1 of BDCP  
(UNCLASSIFIED)  
[smime.p7s](#)

Classification: UNCLASSIFIED  
Caveats: NONE

Tom:

Thanks.

(1) Yes, true. The version you attached is most recent.

(2) Damn autofill!

(3) I get the substance piece but I don't quite get the concern on process. We're doing our best. Also, I don't understand how David's concerns would impact the overall purpose statement for CM1. I can tell you that David met with BG Wehr and Joe Calcara (SES) at our South Pacific Division, as well as COL Leady, two weeks ago. He has not provided any feedback to me or others regarding lead agencies that would affect what we are doing here. I note David will meet MG Walsh, Director for Civil Works at our HQ, next week to discuss the BDCP. BG Wehr and COL Leady will also be present.

Sorry if things seem a bit fractured. With Mike N on emergency family leave, I've been trying to pick up the pieces on this and several other things he was working on.

Michael S Jewell  
Chief, Regulatory Division  
US Army Corps of Engineers, Sacramento District

-----Original Message-----

From: Tom Hagler [mailto:Hagler.Tom@epamail.epa.gov]  
Sent: Thursday, July 12, 2012 4:48 PM  
To: Jewell, Michael S SPK  
Cc: Karen Schwinn; Erin Foresman  
Subject: Fw: A draft of the Preliminary Overall purpose statement for CM1 of BDCP (UNCLASSIFIED)

Mike -

(1) I think you are working off of an earlier version. Mike N. sent us a subsequent DWR markup of his draft. I have attached that in the email below.

I haven't read them yet. (Mike N.'s email seemed to be saying that this could wait until his return).

(2) I forwarded your email on to Karen and Erin (I think you used the wrong address for Erin). Both of them are out today.

(3) Given the interesting email chain leading up to the last couple of versions, I think I'm going to ask you to hold off on this until Karen and Erin can weigh in on both the substance and the process issues associated with working on this. I also want to hear back from Mr. Nawi about his federal lead agency concerns. He had some as of last week. Mainly process concerns, but I'll let him speak for himself. He was apparently scheduled to meet with Col. Leady, but I don't know what transpired.

Thanks for your incoming.

\*\*\*\*\*  
\*\*\*\*\*

Tom Hagler  
Assistant Regional Counsel  
U.S. Environmental Protection Agency  
Region 9  
75 Hawthorne Street, RC-2  
San Francisco, California 94105-3901  
Phone: (415) 972-3945  
Email: hagler.tom@epamail.epa.gov

----- Forwarded by Tom Hagler/R9/USEPA/US on 07/12/2012 04:38 PM -----

From: "Nepstad, Michael G SPK" <Michael.G.Nepstad@usace.army.mil>  
To: Erin Foresman/R9/USEPA/US@EPA, Tom Hagler/R9/USEPA/US@EPA  
Date: 07/03/2012 02:00 PM  
Subject: FW: A draft of the Preliminary Overall purpose statement for CM1 of BDCP (UNCLASSIFIED)

---

Classification: UNCLASSIFIED  
Caveats: NONE

Here's DWR edits

Michael G. Nepstad  
Deputy Chief, Regulatory Division  
US Army Corps of Engineers, Sacramento District  
1325 J Street, Room 1350  
Sacramento, California 95814-2922  
(916) 557-7262 Fax:(916) 930-9506  
michael.g.nepstad@usace.army.mil

\* We want your feedback! Take the survey:  
<http://per2.nwp.usace.army.mil/survey.html>  
<<http://per2.nwp.usace.army.mil/survey.html>>

\* Need information on the Regulatory Program? Visit our website:  
<http://www.spk.usace.army.mil/organizations/cespk-co/regulatory/index.html>  
<<http://www.spk.usace.army.mil/organizations/cespk-co/regulatory/index.html>>

\* Facebook: [www.facebook.com/sacramentodistrict](http://www.facebook.com/sacramentodistrict)

\* YouTube: [www.youtube.com/sacramentodistrict](http://www.youtube.com/sacramentodistrict)

\* Twitter: [www.twitter.com/USACESacramento](http://www.twitter.com/USACESacramento)

-----Original Message-----

From: Enos, Cassandra [<mailto:cenos@water.ca.gov> <<mailto:cenos@water.ca.gov>>]  
Sent: Tuesday, July 03, 2012 1:49 PM  
To: Nepstad, Michael G SPK  
Cc: Marc Ebbin; Jewell, Michael S SPK  
Subject: RE: A draft of the Preliminary Overall purpose statement for CM1 of BDCP (UNCLASSIFIED)

Mike - Attached are our minor edits to your preliminary overall purpose statement. I highlighted the areas where we changed the text. I think we are getting very close. Please let Marc and I know if you have any questions or comments. I will be out of the office the rest of the week but will be checking email. Have a great 4th. Cassandra

-----Original Message-----

From: Nepstad, Michael G SPK [<mailto:Michael.G.Nepstad@usace.army.mil> <<mailto:Michael.G.Nepstad@usace.army.mil>>]  
Sent: Tuesday, July 03, 2012 12:44 PM  
To: Enos, Cassandra; 'Marc Ebbin'  
Cc: Erin Foresman; Tom Hagler; 'Beggs, Barbara'; Idlof, Patricia S (Patti); [michael.tucker@noaa.gov](mailto:michael.tucker@noaa.gov)  
Subject: A draft of the Preliminary Overall purpose statement for CM1 of BDCP (UNCLASSIFIED)

Classification: UNCLASSIFIED

Caveats: NONE

Hi Cassandra and Mark,

As we've discussed, DWR sees as the next step a preliminary Overall purpose statement for the construction of new intakes, conveyance, and new project operations (Conservation measure 1) for the purpose of the processing of Corps permits under section 10 RHA/404 CWA. Late in June, we had agreed that we should meet in mid-July to discuss. Unfortunately Michael Jewell is out this week and family things have come up for me and I'll be out on leave and TDY until 1 August.

The Attached preliminary overall purpose statement is a discussion starter that Michael Jewell and I hurriedly came up with between his leave this week and my impending leave in the next three. It should be regarded as a starter statement, not our final draft.

I'd like to suggest that we (you both, me, EPA, and others) all have an email discussion and "reply all" on suggested edits and changes, so that by early August the Corps could set a statement as our official preliminary overall purpose statement for CM1.

I've cc'd EPA to help speed things up. I've also CC'd the lead Fed agencies as a courtesy notification. If Reclamation, NMFS and/or FWS say they have no comments, let's leave them off further emails of this discussion so we don't clog up their in-boxes.

I will be checking my email/replying intermittently while on leave. If we get to a place where the process is done before I get back I'll work with Michael Jewell to get a statement finalized sooner.

Thanks

Michael G. Nepstad  
Deputy Chief, Regulatory Division  
US Army Corps of Engineers, Sacramento District  
1325 J Street, Room 1350  
Sacramento, California 95814-2922  
(916) 557-7262 Fax:(916) 930-9506  
michael.g.nepstad@usace.army.mil

\* We want your feedback! Take the survey:  
<http://per2.nwp.usace.army.mil/survey.html>  
<<http://per2.nwp.usace.army.mil/survey.html>>

\* Need information on the Regulatory Program? Visit our website:  
<http://www.spk.usace.army.mil/organizations/cespk-co/regulatory/index.html>  
<<http://www.spk.usace.army.mil/organizations/cespk-co/regulatory/index.html>>

\* Facebook: [www.facebook.com/sacramentodistrict](http://www.facebook.com/sacramentodistrict)

\* YouTube: [www.youtube.com/sacramentodistrict](http://www.youtube.com/sacramentodistrict)

\* Twitter: [www.twitter.com/USACESacramento](http://www.twitter.com/USACESacramento)

Classification: UNCLASSIFIED  
Caveats: NONE

Classification: UNCLASSIFIED

Caveats: NONE

Classification: UNCLASSIFIED

Caveats: NONE